

MEMO ENDORSED

From the Office of Anthony D. Masciangelo

Page 1 of 2

Fax to: 212-805-7912

Judge Koeltl
United States Courthouse
500 Pearl St., Room 1030
New York, NY 10007

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>3/31/08</u>

RECEIVED
MAR 31 2008
CHAMBERS OF JUDGE JOHN G. KOELTL

Subject: Shanken Vs Cigar500.com, Anthony Masciangelo, Monique Masciangelo

07 cv 7371 (JGK)

Dear Judge Koeltl:

I was emailed a copy of your order dated March 28, 2008. I discussed the matter with Lisa Simpson from Orrick and asked if I could have the order clarified, by writing to you direct.

1. Will the court accept the briefing I submitted by fax on March 5, 2008?
This was the response to the Plaintiff's opposition for our motion to dismiss, which was prepared by me personally and copied both Lisa Simpson and the Plaintiff's lawyer.
2. Is Orrick to continue representing Cigar500.com and that I may still represent myself pro se? Or is Orrick ordered to represent Monique Masciangelo, Anthony Masciangelo & Cigar500.com Inc. until the matter regarding the motion to dismiss is ruled upon?
3. Regarding the briefing I submitted March 5, 2008 – Did the court receive the documents?

Sorry for the inconvenience, I just wish to make sure that I understand your order clearly.

Sincerely,


Anthony D. Masciangelo

Cc: Lisa Simpson - Orrick

Peter D. Raymond – Attorneys for the Plaintiff

1. The Court will accept the brief as it relates to the individual defendants and the Court received it.
2. The individual defendants can represent themselves. They must file a notice that they are representing themselves pro se and that service of all papers is to be made on them, together with an address and phone number.
So Ordered-
3/31/08 *[Signature]*
45 D.S.

My Contact information for your records.

Page 2 of 2

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